

ASSEMBLY BILL

No. 629

Introduced by Assembly Member Krekorian

February 25, 2009

An act to add Section 17577.5 to the Education Code, and to add Section 75020.5 to the Public Resources Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 629, as introduced, Krekorian. School facilities: water.

(1) Existing law establishes the School Facilities Needs Assessment Grant Program under which grants are awarded to school districts on behalf of schoolsites ranked in deciles 1 to 3, inclusive, on the Academic Performance Index, as specified. A school district that receives a grant is required to use the funds to develop a comprehensive needs assessment of all schoolsites eligible for grants. Among the information the assessment is required to contain is the useful life remaining on all major building systems, including the water system, for each structure housing instructional space.

This bill would require a school district to conduct a one-time assessment of the level of lead in water in schools with plumbing that has not been updated since 1993. The State Department of Public Health would be required to establish testing protocols. Water samples would be required to be analyzed by a laboratory that is certified by the State Department of Public Health or the United States Environmental Protection Agency. A school district would be required to report the results of the assessment to the State Department of Education, which would be required to make the information available to the public.

The bill would authorize a school district, if the assessment reveals the presence of lead in water that is available for human consumption on a schoolsite, to compete for funding from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

By requiring school districts to conduct the assessment and report the results to the department, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17577.5 is added to the Education Code,
- 2 to read:
- 3 17577.5. (a) A school district shall conduct a one-time
- 4 assessment of the level of lead in water in schools with plumbing
- 5 that has not been updated since 1993. Only sources where water
- 6 is available for possible human consumption shall be assessed.
- 7 The assessment shall include, but not be limited to, a determination
- 8 of the presence and amount of lead in the water.
- 9 (b) The State Department of Public Health shall establish testing
- 10 protocols. Water samples shall be analyzed by a laboratory that is
- 11 certified by the State Department of Public Health or the United
- 12 States Environmental Protection Agency.
- 13 (c) A school district that has conducted an assessment pursuant
- 14 to this section shall report the results of the assessment to the
- 15 department, which shall make the information available to the
- 16 public.
- 17 (d) If the assessment reveals the presence of lead in water that
- 18 is available for human consumption on a schoolsite, the school
- 19 district maintaining the schoolsite is eligible to compete for funds
- 20 made available from the Safe Drinking Water, Water Quality and

1 Supply, Flood Control, River and Coastal Protection Bond Act of
2 2006, as set forth in Division 43 (commencing with Section 75001)
3 of the Public Resources Code in order to mitigate the
4 contamination.

5 SEC. 2. Section 75020.5 is added to the Public Resources Code,
6 to read:

7 75020.5. If a school district completes an assessment of water
8 toxicity levels in its schools pursuant to Section 17577.5 of the
9 Education Code and the assessment reveals the presence of lead
10 in water that is available for human consumption on a schoolsite,
11 the school district maintaining the schoolsite is eligible to compete
12 for funds made available pursuant to this chapter.

13 SEC. 3. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.